

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TYSON and MELINDA SU SHELL,  
Personal Representatives of the  
Estate of HAYDEN SHELL, Deceased,**

**Plaintiffs,**

**v.**

**DEBRA L. SUDAN, M.D.,  
AMY DUHACEK-STAPELMAN, M.D.,  
SASHA SHILLCUTT, M.D.,  
NEBRASKA MEDICAL CENTER, and  
DOES 1-5,**

**Defendants.**

**CASE NO. 8:08CV260**

**ORDER &  
FINAL JUDGMENT**

This matter is before the Court on the Motion to Dismiss (Filing No. 141) filed by Plaintiffs Tyson and Melinda Su Shell, personal representatives of the Estate of Hayden Shell, deceased. Under Federal Rule of Civil Procedure 41(a)(1) the Court finds the motion should be granted and the action should be dismissed, with prejudice. Further, the parties will bear their own costs and attorney fees.

IT IS ORDERED:

1. Plaintiff's Motion to Dismiss (Filing No. 141) is granted;
2. This case is dismissed with prejudice; and
3. The parties will bear their own costs and attorney fees.

DATED this 10<sup>th</sup> day of September, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge